

**Amendment under 37 C.F.R. § 1.111
U.S. Serial No. 10/509,763**

Attorney Docket No.: Q83738

AMENDMENTS TO THE DRAWINGS

FIG. 5(d) is amended to illustrate a gate portion 90.

Attachment: One (1) Replacement Drawing Sheet (FIG. 5(d)).

REMARKS

This Amendment, filed in reply to the Office Action dated January 18, 2007, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

I. Preliminary Matters

Applicants thank the Examiner for acknowledging Applicants' claim to foreign priority and for indicating receipt of the certified copy of the priority document.

Applicants also thank the Examiner for returning the initialed form PTO/SB/08 submitted with the Information Disclosure Statement filed on September 30, 2004.

II. Summary of the Office Action

Claims 1-7 are pending in the application. The Examiner objected to the specification and drawings for minor informalities and rejected claims 1-7. Specifically, claims 2-4 are rejected under 35 U.S.C. § 112, first paragraph, claim 3 under 35 U.S.C. § 112, second paragraph, and claims 1 and 5-7 under 35 U.S.C. § 103(a).

III. Objections to the Drawings

The Examiner has objected to the drawings under 37 CFR § 1.83(a) alleging that they fail to show part 50a to be convex as described in the specification on page 5, line 15 and for allegedly not designating the gate portion as described in the specification on page 6, lines 23-25.

With regard to the convex part 50a, Applicant respectfully submits that the Examiner's objections are not understood. An exemplary, non-limiting embodiment of the present invention

shows a convex part 50a in Fig. 1. In particular, Fig. 1 shows that the convex part 50a extends upward so that first tubular yoke 4 is press fitted into the second tubular yoke 5 (Fig. 1 and page 5, lines 11 to 16 of the specification.)

With regard to the gate portion, the replacement drawing of Fig. 5 illustrates such gate portion (element 90 in Fig. 5(d)). The replacement drawing Fig. 5 is at least supported at page 7, lines 23 to 27 of the specification. No new matter is added in the replacement drawing Fig. 5(d).

In view of the foregoing, Applicant respectfully requests the Examiner to withdraw these objections to the drawings.

IV. Claim Rejections - 35 USC § 112

Claims 2- 4 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The Examiner alleges that the claims contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In particular, the Examiner alleges that the drawings do not enable the gate portion, or part 50a to be convex, and it is unclear how the magnet would engage with elements as claimed.

Applicants submit that the replacement drawing of Fig. 5 illustrates the gate portion 90, and that Fig. 1 illustrate the convex part 50a, for the reasons provided above. In addition, the subject matter of the magnet engaging with other elements is at least supported in the second full paragraph of page 15 in the specification and Figs 5(c)-5(e).

In view of the foregoing, Applicants respectfully request the withdrawal of the rejection of claims 2-4 under 35 U.S.C. § 112, first paragraph.

Claim 3 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner alleges that the meaning of “said yoke” is unclear.

Claim 3 has been amended, and Applicants believe that the claim rejection under 35 U.S.C. § 112, second paragraph is overcome.

V. Claim Rejections - 35 U.S.C. § 103

Claims 1 and 5-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tuckey (U.S. Patent No. 4,789,308, hereinafter “Tuckey”) in view of Morii (U.S. Patent No. 4,570,093, hereinafter “Morii”).

With regard to claim 1, the combination Tuckey and Morii fails to teach or suggest each feature of the claim 1. For example, neither Tuckey nor Morii teaches or suggests a first tubular yoke and a second tubular yoke, as described in claim 1.

Tuckey relates to a self-contained electrical fuel pump. The Examiner alleges that the element between elements 16 and 20 corresponds to the claimed first tubular yoke and element 16 corresponds to the claimed second tubular yoke. Applicants respectfully disagree.

Element 16 of Tuckey is a cylindrical case, not a yoke. Even assuming that the element between elements 16 and 20 corresponds to a yoke, there is only one member between the magnet stator 20, and the cylindrical case 16. Therefore, Tuckey fails to teach or suggest a first and a second tubular yoke, let alone a first tubular yoke provided with a ring-shaped magnet on an inner circumference and a second tubular yoke provided on an outer circumference of said first tubular yoke at a position conforming to said magnet, as described in claim 1. Further,

Morii fails to cure the noted deficiencies of Tuckey. In particular, Morii merely discloses a rotor yoke 4. Morii, however, does not teach or suggest a second yoke, let alone a first tubular yoke provided with a ring-shaped magnet on an inner circumference and a second tubular yoke provided on an outer circumference of said first tubular yoke at a position conforming to said magnet, as described in claim 1.

Therefore, claim 1 should be patentable at least for the above reasons. Claims 5-7 should be patentable at least because of their dependency from claim 1.

VI. New Claim

Claim 8 is added to more particularly describe the invention. Claim 8 is patentable at least by virtue of its dependency and for the additional features set forth therein.

VII. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. **If any points remain in issue, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.**

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Respectfully submitted,



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